

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

VICTORIA MAROULIS,	)	CASE NO.
	)	
Plaintiff,	)	JUDGE
	)	
v.	)	<b><u>NOTICE OF REMOVAL</u></b>
	)	
JK MOVING & STORAGE, INC.,	)	
	)	
Defendant.	)	

Defendant JK Moving & Storage, Inc. submits this Notice of Removal pursuant to Title 28 U.S.C. § 1332, § 1441, and §1446 as follows:

1. That there was commenced and is now pending in the Court of Common Pleas for Trumbull County, Ohio, Case Number 2021 CV 00320, captioned *Victoria Maroulis v. JK Moving & Storage, Inc.* A copy of the Complaint filed on March 30, 2021 is attached and made a part hereof as **Exhibit A**. Defendant was served with Plaintiff's Complaint on Tuesday, March 30, 2021. (*See Docket.*)

2. Defendant has simultaneously filed a Notice of Removal in Case Number 2021 CV 00320, Court of Common Pleas for Trumbull County, Ohio, captioned *Victoria Maroulis v. JK Moving & Storage, Inc.*

3. This Court has jurisdiction over this action at common law in a civil nature as the Complaint presents questions of federal interpretation including the following laws of the United States: 29 U.S.C. §2601, et seq., 29 U.S.C. §2615, and 29 U.S.C. §2617.

4. Plaintiff is a resident and citizen of the State of Ohio. (*See Cmplt. at p.1.*)

5. Defendant is a resident and citizen of State of Virginia. (*See Cmplt. at p.1.*)

6. Thus, this controversy is wholly between citizens of different states.

7. This Court, pursuant to the provisions of 28 U.S.C. §1332, also has jurisdiction over this action because there is complete diversity of citizenship and because the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

8. The United States Supreme Court has determined that “a defendant’s notice of removal need include only a plausible allegation that the amount in controversy exceeds the jurisdictional threshold.” *Dart Cherokee Basin Operating Co., LLC v. Owens*, 135 S.Ct. 547, 554 (2014). While “[t]he amount claimed by the plaintiff usually controls \* \* \* the defendant can remove the case if \*\*\*it is shown that the amount in controversy is ‘more likely than not’ above \$75,000.00.” *Hampton v. Safeco Ins. Co.*, 614 F.App’x 321, 323 (6th Cir. 2015).

9. As Plaintiff seeks lost wages, front pay, lost fringe benefits, liquidated damages, non-economic damages, punitive damages, and attorney’s fees and costs, Defendant anticipates Plaintiff seeks damages in excess of \$75,000. (*See* Cmplt. pp.10-11.)

10. This Notice is filed pursuant to 28 U.S.C. §1441 within the time limits prescribed by 28 U.S.C. §1446(b) and (c).

11. Defendant will give written notice to all Parties of the filing of this Notice of Removal as required by 28 U.S.C. §1446(d).

12. A true and accurate copy of this Notice of Removal will be filed with the Clerk of Courts for the Court of Common Pleas for Trumbull County.

WHEREFORE, this action is properly removed from the Court of Common Pleas for Trumbull County to the United States District Court for the Northern District of Ohio, Eastern Division for all further proceedings.

Respectfully submitted,

/s/ Katie Lynn Zorc

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*Attorneys for Defendant JK Moving &  
Storage, Inc.*

**CERTIFICATE OF SERVICE**

I certify that on April 23, 2021, a copy of the foregoing was filed electronically. Parties may access this filing through the Court's system. Further, on this day, a copy was also served by electronic mail to:

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Brad Levine (0090286)  
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*Attorneys for Plaintiff*

/s/ Katie Lynn Zorc

Katie Lynn Zorc (0092714)